

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JEAN POLIVKA,	)	
	)	
Plaintiff,	)	4:06CV3200
	)	
v.	)	
	)	
MICHAEL CHERTOFF, SECRETARY	)	ORDER
OF HOMELAND SECURITY, U.S.	)	
DEPARTMENT OF HOMELAND	)	
SECURITY,	)	
	)	
Defendant.	)	
_____	)	

The court has been advised that defendant has no objection to plaintiff's motion to file second amended complaint out of time.

IT THEREFORE HEREBY IS ORDERED:

Plaintiff's motion, filing 42, for leave to file second amended complaint out of time is granted, and the second amended complaint in the form attached to filing 40 shall be filed forthwith.

DATED this 26<sup>th</sup> day of July, 2007.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge